



REMARKS

Applicants have carefully reviewed the above-identified application in light of the Office Action dated March 19, 2001. Claims 1-14 remain presented for examination.

Claims 1-14 have been provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-4, 6, 10-11 and 14-19 of co-pending Application No. 09/375,343 and in view of Roeder U.S. Patent 4,337,772. Applicants respectfully traverse.

Claim 1 is the only independent claim. As defined by this claim, the present invention is directed to a sanitary napkin that is characterized as having, inter alia, a pair of linear adhesive zones that extend along said longitudinal axis and are adjacent to respective side edges of the sanitary napkin and a preferential bending line extending obliquely in relation to said longitudinal axis on said main body, said preferential bending line extending from one longitudinal side area of the sanitary napkin to an opposite longitudinal side area, crossing the longitudinal axis of the sanitary napkin. As understood by Applicants, Roeder relates to an absorbent article with linear adhesive zones adjacent the respective side edges of the napkin. Applicants respectfully traverse the present rejection.

The particular combination of a pair of linear adhesive zones that extend along said longitudinal axis and which are adjacent to respective side edges of the sanitary napkin together with a preferential bending line extending obliquely in

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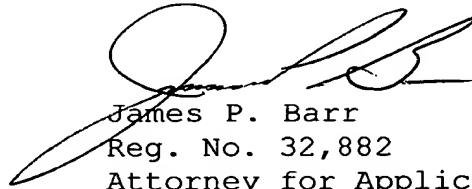


relation to said longitudinal axis on said main body, said preferential bending line extending from one longitudinal side area of the sanitary napkin to an opposite longitudinal side area, crossing the longitudinal axis of the sanitary napkin is not disclosed or fairly suggested in either of the cited references. This combination allows the sanitary napkin to have a controlled deformation that prevents bunching during use by a wearer of the napkin. In the absence of some motivation to combine these two particular references, the present rejection appears to be based on improper hindsight.

Moreover, Applicants note that the present rejection is a provisional rejection and that the primary cited reference is not yet an issued patent. Upon allowance of the co-pending application, Applicants will consider filing a timely filed terminal disclaimer in compliance with 37 CFR § 1.321(c).

In view of the foregoing, Applicants respectfully request reconsideration and allowance of the pending claims.

Respectfully submitted,



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